

# EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI

MARY E. LENTZ,	)	
	)	
Plaintiff(s)	)	
	)	
v.	)	Cause No. C1-01-599
	)	
CINCINNATI INSURANCE	)	
COMPANY, et al.	)	
	)	
Defendant(s)	)	

**PLAINTIFF'S RESPONSE TO DEFENDANT'S FIRST SET OF  
INTERROGATORIES ADDRESSED TO PLAINTIFF**

Comes now the Plaintiff, Mary E. Lentz, by counsel, Michael Sutherlin, and makes the following Response to Defendant's First Set of Interrogatories Addressed to Plaintiff as follows:

**INTERROGATORY NO. 1:** State the name, address, and telephone number of all person(s) answering these Interrogatories.

**ANSWER:** Mary E. Lentz, 1810 Forestdale Avenue, Beavercreek, Ohio 45432; (937) 4265037

Michael Sutherlin, 1300First Indiana Plaza, 135 N. Pennsylvania St., Indianapolis, IN 46204; (317) 6318818

**INTERROGATORY NO. 2:** State the names, telephone numbers and current employers, if known, of all persons with knowledge concerning the allegations contained in the Complaint.

**ANSWER:** Paula Ruppert, 1603 Eva Street, Dayton, OH (937) 2530264.

Courtroom deputy to Chief Judge Walter H. Rice, United States District Court Southern District of Ohio.

Donald Desseyn, 2191 Aslan Drive, York Pennsylvania 17404; 717 791-0500; CIC Harrisburg, PA

Fred Young, Utrecht, O'Neal & Young, Troy, Ohio

Don Kaiser, Dallas, Texas (phone number, employer, and address unknown)

Shelly Basuum, 1205 Kercher St., Miamisburg, Ohio 45342. Currently employed at CIC.

Dave Balzano, CIC Home Office

Steve Roach. Managing attorney at Toledo office of CIC

Julia Gibson 7524 Pomeranian Drive, Huber Heights, Ohio 45424. CIC.

Tim Timmel; CFO of CIC

Al Matheny; SIU at CIC

Brian McHenry, Managing attorney at Dayton office of CIC.

Mike Fitzpatrick, Managing attorney at Cleveland office of CIC.

Joe Currin, 8228 Fairway Drive, Columbus, Ohio 43235. Currently employed by Porter, Wright, Morris and Arthur, Columbus, Ohio.

Troy Reichers, claims supervisor at CIC

Sue Silberbusch, The Practice, 810 International Parkway 5th Floor, Heathrow, Florida 32746; (407) 562 1908.

Plaintiff reserves the right to name other witnesses as they may become known as discovery continues.

**INTERROGATORY NO. 3:** Summarize the facts or circumstances of which those individuals named in response to Interrogatory No. 2 have knowledge.

**ANSWER:** Objection. Plaintiff objects to this Interrogatory because the question asked is overly broad and vague. Also Plaintiff objects to the extent that the Interrogatory seeks privileged information protected by the work product rule. Without

waiving the objection and expressly preserving it Plaintiff provides the following answer as to statements not covered by the privilege. Generally, all of the people listed in Interrogatory No. 2 will testify about their interactions with me and/or the facts and circumstances surrounding my termination. More specifically, as to:

Joe Currin:	See attached document.
Brian McHenry:	See attached document.
Julia Gibson:	See attached document.
Shelly Bascom:	See attached document
Sandra Brower (deceased):	See attached document.
Paula Ruppert:	See attached document.
Dave Balzano:	See attached document.
Al Matheny	See attached documents.
Mark Huller:	See attached documents.
Jim Benoski:	See attached documents

**INTERROGATORY NO. 4:** State the category(ies) of damages Plaintiff is claiming in this lawsuit and the total amount of damages under each category(ies).

**ANSWER:** Lost wages – at this time over \$100,000. Emotional distress and damage to reputation over \$400,000.

**INTERROGATORY NO. 5:** State in detail and with particularity the manner in which Plaintiff intends to determine and/or calculate the amounts for any losses and damages alleged to have been suffered by Plaintiff.

**ANSWER:** Based on salary, yearly bonus, company car; participation in 401k plan; TAP plan – medical and daycare savings plan; stock options; two weeks vacation;

personal days; health and life insurance; disability insurance; and other benefits provided by CIC and use of W2 and 1099 income; time spent looking through blind ads, personal contacts, Ohio State Bar Association green book ads, networking, and several interviews that were not fruitful.

**INTERROGATORY NO. 6:** State the names, addresses, telephone numbers, employers and occupations of all persons whom Plaintiff expects to call as witness at trial.

**ANSWER:** See response to Interrogatory No. 2.

**INTERROGATORY NO. 7:** Identify each expert Plaintiff intends to call as a witness in the trial of this action, including: the subject matter on which the expert is expected to testify; the substance of the facts and opinions to which the expert is expected to testify; and a summary of the grounds for each opinion as to which the expert is expected to testify.

**ANSWER:** At this time, no expert witnesses have been chosen. Plaintiff will seasonably identify experts within the time designated by the Court's Order.

**INTERROGATORY NO. 8:** State the name, address, telephone number, and occupation of all persons with whom Plaintiff's communicated concerning this lawsuit and/or the allegations contained in the Complaint and, for each, state the date, place, and mode of communication.

**ANSWER:** Objection. Plaintiff objects to this Interrogatory because the question asked is overly broad and vague. Also Plaintiff objects the extent that the Interrogatory seeks privileged information protected by the work product rule. Without

waiving the objection and expressly preserving it the Plaintiff provides the following answer as to statements not covered by the privilege.

Phillip Rumme, husband, sales engineer – Greentec Precision, Inc.; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Jennifer Kirkpatrick, lawyer, Freund, Freeze & Arnold, Cincinnati, Ohio, (513) 5873906 talked numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Tom Lentz, accountant, brother, 590 Lake of the Woods Blvd., Akron, Ohio, (330) 8648995; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Christ Lentz, lawyer, brother, Columbus, Ohio, (614) 2676565; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Chitaun Nooks, Arbitration clerk, Dayton, Ohio, (937) 2256042; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Stel Kirbabas, friend, Public Relations, Cincinnati Hills Christian School, (513) 7774352; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Sharon Boland, friend, GM at Microsoft, Charlotte, North Carolina; talked approximately five times about the matter, however I do not remember the specific dates of those conversations.

Don Dessyn, attorney at CIC, (717) 7910500; talked with three times about the matter, however I do not remember the specific dates of two of those conversations. One conversation took place in January of 2000.

Sandy Corwin, friend, data analyst at Ohio Health, Columbus, Ohio; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Marcia Dowds, friend, Dayton, Ohio, Girl Scout District Manager; talked approximately eight times about the matter, however I do not remember the specific dates.

Patty Belch, friend, Delaware, Ohio; talked approximately two times about the matter, however I do not remember the specific dates of the conversations.

Kris Burkett, friend and lawyer, Newark, Ohio, (740) 3451589; talked approximately two times about the matter, however, I do not remember the specific dates of the conversations.

Susan Blasik Miller, friend and lawyer at Freund Freeze & Arnold, Dayton, Ohio; 937222-2424; talked approximately two times about the matter, one such time was in January of 2000.

Paula Ruppert, former secretary and friend, courtroom deputy for Chief Federal Judge Walter H. Rice, 1603 Eva Street, Dayton, Ohio, (937) 5121501; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Joe Currin, attorney now with Columbus firm Porter and Wright; talked approximately two times about the matter, however I do not remember the specific dates.

Terry Geiger, attorney, Montgomery County Mediator (she served on the Ethics Committee that heard my claim); talked approximately three times after May of 2000, however I do not remember the specific dates of those conversations.

John Hoffman, attorney, Miami Valley Hospital, Dayton, Ohio; talked about the matter one time after May of 2000, however I do not remember the specific date of the conversation.

John Briedenbach, attorney, Dayton, Ohio; talked approximately two times about the matter, however I do not remember the specific dates. First time was in March of 2000.

Gordon Arnold, lawyer at Freund, Freeze, & Arnold, (937) 2222424; talked about the matter on two occasions, once in January of 2000 and a second time in March of 2000.

Robert Snyder, lawyer at Freund, Freeze & Arnold, (937) 2222424; talked about matter approximately two times about the matter after August of 2000, however I do not remember the specific dates.

Shawn Blatt, lawyer at Freund, Freeze & Arnold, (937) 2222424; talked approximately one time about the matter after March 10, 2000, however I do not remember the specific date of the conversation.

Kevin Connell, lawyer at Freund, Freeze & Arnold, (937) 2222424; talked about the matter on two occasions, one in January of 2000 and one after March 10, 2000, however I do not remember the specific dates of the conversations.

Karrie Stack, friend, public relations coordinator, Edward, Howard & Co., Dayton, Ohio, 2281141; talked with numerous times, however I cannot remember the exact dates or exact number of times we conversed.

Jeff Hazlett, attorney, Nick Subashi law offices, Dayton, Ohio; talked about the matter approximately two times after March 10, 2000, however I do not remember the specific dates.

Debbie Nerderman, friend and day care director of YMCA at Wilkinson Street, Dayton, Ohio, (937) 2237711; talked approximately three times about the matter after March 10, 2000, however I do not know the specific dates of those conversations.

Bill Winks, attorney in Springfield, Ohio; talked about the matter on one occasion, however I do not remember the specific date of the conversation.

Gil Switala, attorney, Dayton, Ohio; talked about the matter one time after, however I do not remember the specific date of the conversation.

Arlene Rochin; attorney at Indianapolis office of CIC; talked about the matter on one occasion after Easter of 2000; I talked with her many times.

Carol Kelly, crew leader for the United States Census Bureau, (937) 4311034; talked about this matter on one occasion during the census job I took after April of 2000, however I do not remember the specific date of the conversation.

Carmine Garofalo, attorney for Dyer, Garofalo, Mann & Schultz, Dayton, Ohio, 223888; talked about the matter on one occasion in the Spring of 2000.

Troy Reichers, CIC Claims supervisor; talked about the matter on two occasions, both sometime after October 2001, however I do not remember the specific dates of the conversations.

Tom Glass, friend and attorney at Strauss & Troy in Cincinnati, Ohio (513)6212120; on three occasions all after March 10, 2000, however I do not remember the specific dates of those conversations.

Cinnamon Huston, lawyer at Freund, Freeze & Arnold, Dayton, Ohio (937)2222424, talked about the matter with her on one occasion in January of 2002, however I do not remember the specific date of the conversation.

Roger Makely; attorney; talked about the matter numerous times however I do not remember the specific dates of the conversations.



Jeff Silverstein, attorney, Dayton, Ohio; talked about the matter on two or three occasions all in between December 28, 1999, and January 4, 2000, however I do not remember the specific dates.

Joan Brenner, attorney at ES Gallon in Dayton, served as my Dayton Bar Association Ethics Committee Investigator; talked about the matter on three occasions after January of 2000, however I do not remember the specific dates.

Sue Silberbusch; talked once after March 2000—perhaps during summer.

One interviewer at the Ohio Insurance Commission; Columbus, Ohio; talked to on one occasion after March 10, 2000, however, I do not remember her name or the specific date of the conversation.

Two interviewers with Allstate Insurance Company; Cincinnati, Ohio, talked to on one occasion after March 10, 2000, however I do not remember their names or the specific date of the conversation.

Six members and interviewers at the law firm of Brandabur Campbell Finlay Johnson Weckstein & Beard, 260 N. Detroit Street, Xenia Ohio 45385 (937) 3724411; talked about matter with all of them on one occasion after July of 2000, however I do not remember the specific date of the conversation.

**INTERROGATORY NO. 9:** State whether Plaintiff has requested or obtained any written statements, signed or unsigned, from any current or former employee of Defendant CIC concerning Plaintiff's employment with Defendant CIC or concerning any of the allegations in the Complaint. If so, identify each such written statement, including the name, address, and telephone number of the employee or former employee with whom the statement was requested or obtained and the date that it was obtained.

**ANSWER:** Yes. A letter of reference from Don Desseyn (see response to Interrogatory No. 2).

**INTERROGATORY NO. 10:** Other than the instant Complaint, state whether Plaintiff had ever filed a charge, complaint, action, or lawsuit with the Equal Protection Opportunity Commission or with any other federal, state, or local government agency,

department, or court regarding or relating to any employment matter. If so, for each charge, complaint, action, or lawsuit, state:

- a. the name of the agency, department, or court in which the charge, complaint, and action was filed or otherwise instituted;
- b. The case caption, including the case or docket number;
- c. The date of filing;
- d. The names, addresses, and telephone numbers of all parties to the charge, complaint, and/or action; and
- e. Whether the charge, complaint, or action is presently pending, and, if not, describe its outcome or resolution, including any judgments entered.

**ANSWER:** No.

**INTERROGATORY NO. 11:** Other than the instant Complaint and lawsuit(s), if any, identified in response to Interrogatory No. 10, state whether Plaintiff has ever filed a complaint, action, or lawsuit with any government agency, department, or court, including any domestic relations matter and any petition of bankruptcy. If so, for each complaint, action or lawsuit, state:

- a. the name of the agency, department, or court in which the charge, complaint, and action was filed or otherwise instituted;
- b. The case caption, including the case or docket number;
- c. The date of filing;
- d. The names, addresses, and telephone numbers of all parties to the charge, complaint, and/or action; and
- e. Whether the charge, complaint, or action is presently pending, and, if not, describe its outcome or resolution, including any judgments entered.

**ANSWER:** No.

**INTERROGATORY NO. 12:** For any employment, including self-employment, from 1991 to the present (excluding your employment with Defendant CIC), state the full name and business address of each of the employers or person for whom you are or were employed or performed services, the dates of such employment or performances of services, the amount of compensation or monies received from each such employment or source and the period for which you were paid, the amount of compensation, annual salary, or hourly rate received, all benefits received (vacation, insurance, etc.), the value of each benefit and the time period during which the benefit was received.

**ANSWER:** Freund, Freeze & Arnold (1990-1997). At the time of my departure I made approximately \$64,000.00 per year with health benefits, disability benefits, life insurance benefits, bar dues and CLE, and 401 K, as well as three weeks vacation, among other benefits.

Ohio State University; Human Resources Department (February – June 2000). I interviewed former welfare recipients by phone and recorded their responses by computer. Wages were \$12.50 per hour. No benefits.

United States Census Bureau (March--August 2000). Crew leader assistant and enumerator. Received \$12.75 per hour. No benefits.

Unemployment benefits (began March 2000).

Michael Buckwalter, Xenia, Ohio 45385. sole practitioner, (September 2000). Initially made \$30.00 per hour for ten hours per week with the understanding that I would get percentage fees for cases I worked on. In the year 2000, I made \$3,050.00 from this arrangement. In January 2001, the arrangement was modified. I gave up the hourly rate in order to work on more cases and receive fees. I made approximately \$13,000.00 from this arrangement. In 2002, I made approximately \$21,000.00 from the arrangement. There were no benefits, no insurance, and no CLE.

Self-employment (2000). I represented a friend who was in an automobile accident. I made approximately \$1,400.00.

Gottschlich & Portune (2001). Initially I handled a project for Gary Gottschlich and received approximately \$1223.00 in payment. On December 10, 2001 I joined Gottschlich & Portune as a nonequity partner. I make forty percent of whatever is collected from what I bill clients. If I bring the client to the firm, I get twenty percent of what is billed, regardless if I do the work. In 2002, I received approximately \$3,000.00. I receive life insurance, malpractice insurance, office furniture and computer, will get CLE allowance after six months, and staff is provided.

Since 1991, I also have made money as an arbitrator with the Montgomery County Common Pleas Court Arbitration Program and the Greene County Common Pleas Court Arbitration Program.

**INTERROGATORY NO. 13:** State the name, address, and phone number for each physician, counselor, therapist, psychiatrist, psychologist, or health care provider whom you have consulted within the past five years.

**ANSWER:** Jim Horlacher, ObGyn; Dayton, Ohio

Jeff Hatcher M.D., ObGyn now in Indiana

Thomas Burwinkle, M.D., reproductive endocrinologist at Kettering Medical Center in Kettering, Ohio

Maureen Perez, M.D., Centerville, Ohio, (937) 4359013.

Nancy Romer, M.D., ObGyn Center, Miami Valley Hospital (937) 2085000.

John Jump, M.D., psychiatrist, Kettering Memorial Hospital.

Daniel O'Brien, DDS, Xenia Road, Beavercreek, Ohio

Various physicians at Miami Valley Hospital for childbirth and procedures related to fertility problems.

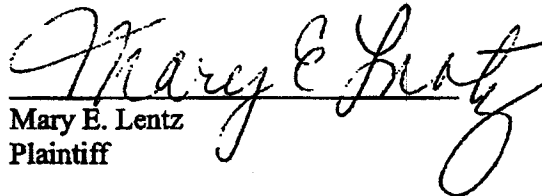
**INTERROGATORY NO. 14:** State whether you have attempted to find employment since your separation from Defendant CIC, and if so, recite what efforts you have made.

**ANSWER:** Yes. I went on several interviews and talked to countless people about the possibility of employment. I looked at the Ohio State Bar Association green book weekly.

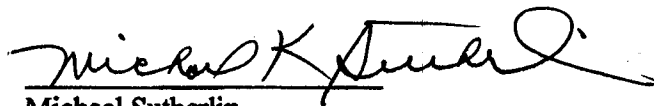
**INTERROGATORY NO. 15:** Recite your employment history from the time of your separation from Defendant CIC until the present.

**ANSWER:** See response to Interrogatory No. 12.

I affirm under penalties of perjury that the foregoing representations are true to the best of my knowledge and belief.

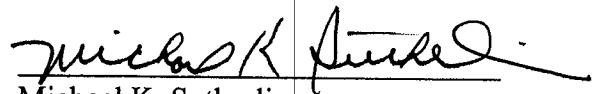
  
Mary E. Lentz  
Plaintiff

As to any objections:

  
Michael Sutherlin,  
Attorney for the Plaintiff  
Attorney No. 508-49

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon Deborah S. Adams, Jack B. Harrison, FROST BROWN TODD LLC, 2200 PNC Center, 201 East Fifth Street, Cincinnati, Ohio 452015715; and Lynn D. Pundzak, Second National Building, Suite 999, 830 Main Street, Cincinnati, OH 45202, by first class, United States mail, postage prepaid, this ~~22~~ day of February, 2002.

  
Michael K. Sutherlin

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